

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

JOLEE AL-VILLAR,

Plaintiff,

vs.

CIVIL NO. 12-896 CG

MICHAEL B. DONLEY, Secretary of United States  
Air Force; DR. THOMAS E. BRETZ, JR., Air Force  
Research Laboratory Supervisor,

Defendants.

**ORDER TO SHOW CAUSE**

**THIS MATTER** comes before the Court on Plaintiff's motion titled "*Right to Request No Court Fees, Court Costs, or Other Security*", (Doc. 2). Plaintiff's motion requests that she be allowed to prosecute her case without the prepayment of costs or fees. The Court construes her motion as a request to proceed *in forma pauperis* without the prepayment of costs pursuant to 28 U.S.C. § 1915 and will **ORDER** Plaintiff to show cause why her motion should not be denied.

Plaintiff, a former Air Force employee, filed her *pro se* complaint on August 20, 2012, alleging that Defendants violated her constitutional rights by discriminating against her because she is a transgendered woman. (*See, generally*, Doc. 1). She filed her motion to proceed without paying any filing fees or court costs the same day. Pursuant to 28 U.S.C. § 1915, the Court may authorize an indigent party to commence a civil action without the prepayment of costs or fees. 28 U.S.C. § 1915(a)(1). However, the plaintiff must submit an affidavit which includes a statement of all assets owned by the plaintiff before a Court may grant the application *Id.* In this case, Plaintiff's motion does not contain a financial affidavit and does not state what assets she owns. The Court therefore has no means of

determining whether she is indigent and entitled to proceed without the prepayment of costs or fees.

**IT IS THEREFORE ORDERED** that Plaintiff show cause within 20 days of this Order why her motion titled “*Right to Request No Court Fees, Court Costs, or Other Security*”, (Doc. 2), should not be denied by filing an amended motion to proceed *in forma pauperis*. The amended motion must provide the appropriate financial disclosures required by § 1915. The United States District Court website contains a sample Motion to Proceed In Forma Pauperis which can be downloaded.<sup>1</sup> Plaintiff may also obtain a copy of the sample motion from the clerk’s office at any United States District Court for the District of New Mexico. Plaintiff’s amended motion shall be due on or before September 11, 2012.



THE HONORABLE CARMEN E. GARZA  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> The motion can be downloaded at <http://www.nmcourt.fed.us/web/DCDOCS/dcindex.html>.